

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MONTE CATO LITTLE COYOTE,
JR.,

Defendant.

CR 13-74-BLG-DWM-1

ORDER

On July 14, 2025, United States Magistrate Judge Timothy J. Cavan entered Findings and Recommendations with respect to the disposition of the revocation proceedings stemming from the February 21, 2025 petition for revocation of Defendant Monte Cato Little Coyote, Jr.'s supervised release. (Docs. 75, 93.) The petition alleges five violations: (1) failure comply with substance abuse testing requirements; (2) failure to notify his probation officer within 72 hours following arrest; (3) arrest by Billings Police Department for driving under the influence; (4) failure to enter and complete an outpatient sex offender treatment program; and (5) arrest by the Bureau of Indian Affairs for driving under the influence. (Doc. 75.) At the final revocation hearing, Little Coyote admitted all violations. (Doc.

93 at 1, 3.) Based on the admitted conduct, Judge Cavan found that Little Coyote committed the violations alleged in the petition, but recommended disposition be delayed 90 days to allow Little Coyote to complete a dual PTSD and substance abuse treatment program through Fort Harrison VA Medical Center. (*Id.*)

Neither party has filed objections. Failure to object waives the right to review. Fed. R. Crim. P. 59(b)(2). But consistent with the Court's "full authority" to review the Findings and Recommendations under any standard it deems appropriate, *Thomas v. Arn*, 474 U.S. 140, 154 (1958), the Court reviews for clear error. Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). Finding no clear error in Judge Cavan's conclusion that Little Coyote violated the conditions of his release in the manner set forth in the petition, but that disposition should be delayed 90 days, the Court adopts those findings and recommendations. (*See* Doc. 93.)

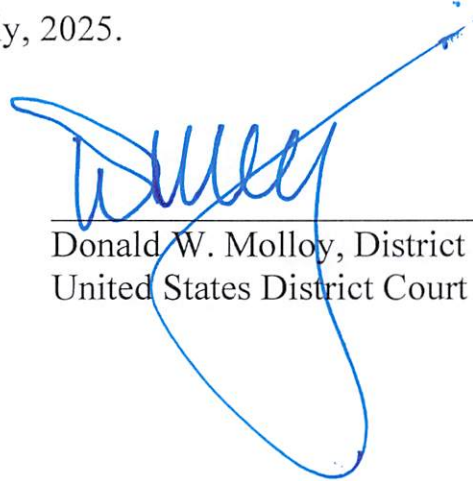
Accordingly, IT IS ORDERED that Judge Cavan's Findings and Recommendations, (Doc. 93), is ADOPTED IN FULL.

IT IS FURTHER ORDERED that Little Coyote remains subject to all conditions of supervision imposed by the Court. (Docs. 73, 92.)

IT IS FURTHER ORDERED that this matter is REFERRED to Judge Cavan pending final disposition of the petition. The subsequent hearing will be set by

separate order.

DATED this 31st day of July, 2025.



Donald W. Molloy, District Judge
United States District Court